

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ MAY 16 2017 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JASON SHELDON,

Plaintiff,

-against-

PLOT COMMERCE, a corporation,

Defendant.
-----X

BROOKLYN OFFICE

NOT FOR PUBLICATION
ORDER
15-CV-5885 (CBA) (CLP)

AMON, United States District Judge:

On September 19, 2016, the Court granted Plaintiff's motion for default judgment and awarded him \$510,000 in damages but denied without prejudice Plaintiff's requests for attorneys' fees and for costs, subject to refiling with proper documentation and authority. (See D.E. # 30.) On October 26, 2016, Plaintiff submitted a revised motion for attorneys' fees and costs, (D.E. # 34), which the Court referred to the Honorable Cheryl Pollak, United States Magistrate Judge for Report and Recommendation ("R&R"), (D.E. dated March 28, 2017).

The Court has now received Magistrate Judge Pollak's R&R, which recommends that Plaintiff's motion be granted and that Plaintiff be awarded \$10,620 in attorneys' fees and \$700 in costs. (See D.E. # 35.) No party has objected to the R&R, and the time for doing so has passed. When deciding whether to adopt an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). To accept those portions of the R&R "to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (quoting Wilds v. United Parcel Serv., 262 F.Supp.2d 163, 169 (S.D.N.Y. 2003)).

The Court has carefully reviewed the record and, finding no clear error, adopts the R&R as the opinion of the Court. Accordingly, Plaintiff's motion is granted and Plaintiff is awarded attorneys' fees of \$10,620, as well as \$700 in costs. The Clerk of Court is directed to enter judgment accordingly and to close the case.

SO ORDERED.

Dated: May 18, 2017
Brooklyn, New York

s/Carol Bagley Amon

Carol Bagley Amon
United States District Judge